

IN THE CLAIMS

1. (Currently amended) An oil-in-water emulsion comprising:

(A) a hydrophilic surface active agent, that has a dynamic surface tension of 57

DI mN/m or less,

(B) one or more oily component(s) and

(C) water,

wherein the weight ratio of component (B) is more than 10 based on 1 of the component (A), and

~~wherein said emulsion is obtainable by applying a shear force corresponding to a shear rate of 10,000 s<sup>-1</sup> or more to a mixture of component (A), component (B) and component (C)~~

wherein said emulsion has an average particle size ranging from 0.01 to 0.2  $\mu$ m.

2. (Previously Presented) The oil-in-water emulsion according to Claim 1 having a light transmittance at 550 nm of 50% or more.

3. (Cancelled)

4. (Previously Presented) The oil-in-water emulsion according to Claim 1,  
wherein component (B) comprises a liquid oil component and a solid fatty material,  
and

the emulsion has a viscosity ranging from 200 to 1,000,000 mPa•s at 25°C.

5. (Previously Presented) The oil-in-water emulsion according to Claim 2,

wherein component (B) comprises a liquid oil component and a solid fatty material,  
and

the emulsion has a viscosity ranging from 200 to 1,000,000 mPa•s at 25°C.

DI  
could  
6. (Currently Amended) The oil-in-water emulsion ~~cosmetic~~ according to Claim 1,  
wherein said emulsion is ~~obtainable~~ obtained by applying a shear force corresponding to a  
shear rate of 1,000,000 s<sup>-1</sup> or more to a mixture of the component (A), component (B) and  
component (C).

7. (Currently Amended) The oil-in-water emulsion according to Claim 2, wherein  
said emulsion is ~~obtainable~~ obtained by applying a shear force corresponding to a shear rate  
of 1,000,000 s<sup>-1</sup> or more to a mixture of the component (A), component (B) and component  
(C).

8. (Previously Presented) A liquid cosmetic comprising the oil-in-water emulsion  
according to Claim 4 and an aqueous medium.

9. (Previously Presented) A liquid cosmetic comprising the oil-in-water emulsion  
according to Claim 5 and an aqueous medium.

10. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said  
surface active agent is a nonionic and has an HLB value of 9 or more.

11. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said

surface active agent is anionic.

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12. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said surface active agent is cationic.

13. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said surface active agent is amphoteric.

14. (Previously Presented) The oil-in-water emulsion of Claim 1, further comprising a water-soluble alcohol.

15. (Previously Presented) The oil-in-water emulsion of Claim 1 that is produced using a high-pressure commercial emulsifier that applies a shear force corresponding to a shear rate of  $10,000 \text{ s}^{-1}$  or more.

16. (Previously Presented) A liquid cosmetic comprising the oil-in-water emulsion according to Claim 1, an aqueous medium and further comprising a water-soluble high polymer.

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17. (Previously Presented) A composition comprising the oil-in-water emulsion of Claim 1 and a water-soluble or oil-soluble component selected from the group consisting of a chelating agent, a pH adjusting agent, an antiseptic, a thickener, a drug component and a plant component.

18. (Currently Amended) ~~A cosmetic comprising the~~ The oil-in-water emulsion of Claim 1 in a form suitable for use as a cosmetic.

19. (Previously Presented) A hair liquid, a hair mousse, a shampoo, a rinse, a shaving cosmetic, an after-shave lotion, a body lotion, a face lotion, a toilet lotion, a moisturizing lotion, a bath liquid, or a body shampoo comprising the oil-in-water emulsion of Claim 1.

20. (Currently Amended) A method of making an oil-in-water emulsion comprising:  
(A) a hydrophilic surface active agent, having a dynamic surface tension of 57 mN/m or less,

(B) an oily component and

(C) water,

wherein the weight ratio of component (B) is more than 10 based on 1 of the component (A) comprising:

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applying a shear force corresponding to a shear rate of  $10,000 \text{ s}^{-1}$  or more to a mixture of component (A), component (B) and component (C) for a time and under conditions suitable for forming an emulsion having an average particle size ranging from 0.01 to 0.2  $\mu\text{m}$ .

21. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said surface active agent has a dynamic surface tension of 55 mN or less.

22. (Previously Presented) The oil-in-water emulsion of Claim 1, wherein said oily component has a surface tension of 29 mN/m or less.

23 (Previously Presented): The oil-in-water emulsion of Claim 1, wherein said oily component is a silicone oil.

24 (Previously Presented): The oil-in-water emulsion of Claim 1, wherein said oily component is a fluorine based oil.

25 (Previously Presented): The oil-in-water emulsion of Claim 1, wherein said one or more oily component(s) is selected from the group consisting of liquid paraffin, squalene, neopentyl glycol dicaprate, ethylene glycol monolauryl ether, perfluoro polyether and dimethyl polysiloxane.

New matter  
DI  
26 (New): The oil-in-water emulsion of Claim 1, wherein said hydrophilic active agent is POE alkyl ether.

27 (New): The oil-in-water emulsion of Claim 1, wherein said hydrophilic active agent is alkyl glutamic acid.

28 (New): The oil-in-water emulsion of Claim 1, wherein said hydrophilic active agent is an alkyl taurine salt.